

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

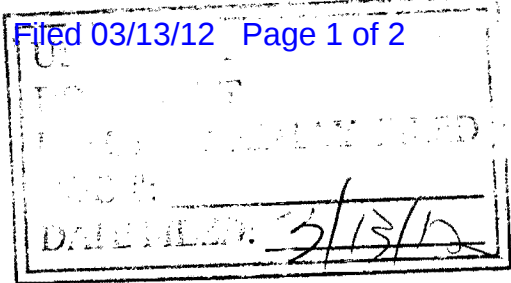
----- x
STANLEY A. ARNOLD,

Plaintiff,

-v-

WESTCHESTER COUNTY et al.,

Defendants.
----- x



09 Civ. 3727 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

On February 3, 2012, the Honorable Gabriel W. Gorenstein, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending granting defendants' motion for summary judgment dismissing plaintiff's action brought under 42 U.S.C. § 1983.

Plaintiff has failed to file any objection to the Report and Recommendation, and, for that reason alone, has waived any right to review by this Court. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Mario v. P & C Food Markets, Inc., 313 F.3d 758, 766 (2d Cir. 2002); Spence v. Superintendent, Great Meadow Corr. Facility, 219 F.3d 162, 174 (2d Cir. 2000). Accordingly, the Court hereby adopts the Report and Recommendation, and, for the reasons therein, dismisses plaintiff's complaint with prejudice. Moreover, the Court certifies that any appeal from this Order would not be taken in good faith, as plaintiff's claim lacks any arguable basis in law or fact, and therefore permission to proceed in forma pauperis is also denied. See 28 U.S.C. § 1915(a)(3); see also Seimon v. Emigrant Savs. Bank (In re Seimon), 421 F.3d 167, 169 (2d Cir. 2005). The Clerk of the Court is directed to

close document number 50 on the docket sheet of this case, and to enter judgment.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
March 8, 2012